

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ANILESH AHUJA and JEREMY SHOR,

Defendants.

18 Cr. 328 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

This Order resolves the outstanding request of Defendant Anilesh Ahuja that the Government be ordered to produce copies of the grand jury subpoenas it has issued to third parties in connection with this matter. (See Dkt. #127, 132). In an Order dated April 30, 2019, the Court directed “the Government to submit an *in camera* response, on or before Monday, May 6, 2019, addressing whether any of the grand jury subpoenas issued in connection with this investigation can be disclosed without revealing ongoing grand jury investigations or otherwise running afoul of Rule 6(e).” (Dkt. #138). The Government timely complied with the Court’s directive, and the Court has reviewed the Government’s *ex parte* submission.

The Court shares the Government’s concern that disclosure of the grand jury subpoenas would compromise ongoing investigations. It accordingly finds that Defendant Ahuja has failed to make an adequate showing of an exception under Fed. R. Crim. P. 6(e)(3) or “special circumstances” warranting disclosure. *See generally In re Petition of Craig*, 131 F.3d 99, 102 (2d Cir. 1997); *Anilao v. Spota*, 918 F. Supp. 2d 157, 163 (E.D.N.Y. 2013). Even with respect to those subpoenas that arguably could be produced in a redacted format, or in a

manner that would prevent revelation of ongoing grand jury matters, the Court does not believe that Defendant has made an adequate showing. His request is therefore denied.

SO ORDERED.

Dated: May 8, 2019
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge